

PATENT
EXPEDITED PROCEDURE REQUESTED UNDER 37 CFR 1.116
USSN 09/002,276

IN THE TITLE:

Please change the title to read: -- CLEC Product Request Processing System and Method--.

REMARKS

Claims 7-12, 22-27, 37-42, and 48 are currently pending.

In the Final Office Action, the Examiner rejected claims 7-12, 22-27, and 37-42, and 48 under 35 U.S.C. § 103(a) as being unpatentable over "Custom billing converges on industry: Increased competition for telcos means new service for customers," *InfoWorld*, pTW1 (Nov. 18, 1996) ("InfoWorld") in view of U.S. Patent No. 4,757,267 to *Riskin* ("Riskin"). Applicants respectfully traverse this rejection.

Applicants maintain that *InfoWorld* does not disclose or suggest each and every limitation recited in independent claims 7, 22, 37, and 48 because, among other things, *InfoWorld* does not disclose or suggest "converting a portion of the received request into at least one specifically-formatted provisioning request for each provider based on the received bundle code, and providing the provisioning request to the providers to initiate a product supply process by each provider," as recited in claim 7. Instead, *InfoWorld* discloses, at most, convergence billing systems that combine all of a customer's telecommunications charges onto one bill, including charges for various services such as long distance, cellular, and internet access. (*InfoWorld* at p. 1 ¶¶ 1, 5, 7, 8.) *InfoWorld*'s disclosure of convergence billing systems does not teach or suggest all the features recited in claims 7, 22, 37, and 48 for the reasons explained in detail in Applicants' Response filed October 18, 2002 (incorporated herein by reference).

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In this Request for Reconsideration, Applicants emphasize that the pending claims do not recite convergence billing. Applicants are not claiming a convergence billing system that integrates all of a customer's telecommunications charges into a single bill and applies rate discounts for certain bundles of services, as allegedly disclosed by *InfoWorld*. Instead, Applicants claim, as recited in claim 7, "a method for processing requests for products" by "converting a portion of the received request into at least one specifically-formatted provisioning request for each provider based on the received bundle code; and providing the provisioning request to the providers to initiate a product supply process by each provider." Claims 22, 37, and 48 recite similar features.

In the Final Office Action, the Examiner noted that *InfoWorld* teaches that telephone companies are offering convergence billing for their own basic services, but that they have yet to integrate non-basic services from affiliate partners and their own new services into the billing system. (Final OA at 3; *InfoWorld* at ¶ 7, 8.) The Examiner alleged that this disclosure of adding new services to an established convergence billing system "proves" that *InfoWorld* teaches the features recited in claims 7, 22, 37, and 48. (Final OA at 3.) Applicants respectfully disagree and emphasize again that the pending claims are not directed to a convergence billing system. Rather, the claims are directed toward processing product requests from customers and the title has been modified herein to better reflect this distinction. In other words, the claims are directed toward receiving a customer's order for products and providing that customer order to all the appropriate product providers; the claims do not encompass convergence billing of a customer for various services from one or more different providers.

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In fact, *InfoWorld* does not contain a single word about how to process customer requests for products. It teaches convergence billing, but convergence billing has nothing to do with processing requests for products. Convergence billing concerns creating a single bill for disparate services. (See *InfoWorld* ¶ 3, 5, 7, 8; Spec. at 2-4.) There is simply no suggestion in the reference or elsewhere that the services on this single bill were made in any way different from the conventional manner of separately ordering services from each individual different service provider. As Applicants' specification states, convergent billing systems "could not process customer requests for products and services of different LECs or other companies." (Spec. at 3.) *InfoWorld* provides no evidence to rebut this statement.

For at least the foregoing reasons, and for the reasons explained in detail in Applicants' Response to the previous Office Action, *InfoWorld* does not teach or suggest each and every element of claims 7, 22, 37, and 48. Thus, the Examiner has failed to establish a *prima facie* case of obviousness under 35 U.S.C. § 103 for independent claims 7, 22, 37, and 48. Applicants respectfully submit that these claims are allowable over the cited references. Applicants further submit that claims 8-12, 23-27, and 38-42, which depend either directly or indirectly from claims 7, 22, and 37, are also allowable for at least the foregoing reasons. Accordingly, Applicants respectfully request that the Examiner withdraw the 35 U.S.C. § 103 rejections of all these claims.

Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicant's invention. Applicants respectfully request that this Request For Reconsideration Under 37 C.F.R.

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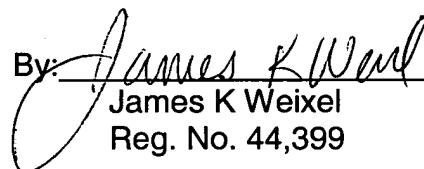
§ 1.116 be considered by the Examiner to show that claims 7-12, 22-27, 37-42, and 48 are in condition for allowance.

In view of the foregoing remarks, Applicants respectfully request the reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 07-2339.

Respectfully submitted,

Dated: 2/12/2003

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MARKED-UP VERSION OF AMENDMENT TO TITLE

IN THE TITLE:

Please change the title to read: CLEC Convergent Billing Product Request
Processing System and Method.